



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

MAY 21 2002

7C48

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/051,765	01/17/2002	Richard Fitzpatrick	1932.1110-002

CONFIRMATION NO. 5555

FORMALITIES LETTER



OC000000007662632

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2820.
 - \$972 for 54 total claims over 20.
 - \$1848 for 22 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 3690.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-4202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/22/2002 JAD001 00000043 10051765
01 FC:101 740.00
02 FC:102 1848.00
03 FC:103 972.00
04 FC:105 130.00

HH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MAY 21 2002 Richard J. Fitzpatrick, Keith K. Shackett and Jeffrey D. Klinger

Application No.: 10/051,765 Group: 1614

Filed: January 17, 2002 Examiner:

For: IONENE POLYMERS AND THEIR USE AS ANTIMICROBIAL AGENTS

3

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>5-16-02</u>	<u>Judy Breen</u>
Date	Signature
Judy Breen	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated March 18, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

- [X] **EXECUTED DECLARATION FOR PATENT APPLICATION**
(Separate transmittal letter and postcard not required)
- [X] **POWER OF ATTORNEY DOCUMENT**
[] **GRANTED BY INVENTOR(S)**
[X] **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**
(Separate transmittal letter and postcard not required)
- [X] **PRELIMINARY AMENDMENT**
(Separate transmittal letter and postcard not required)
- [X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate
Fee calculations based on:
[X] Claims as originally filed
[] Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]
(Separate transmittal letter and postcard not required)
- [X] **SURCHARGE** - surcharge fee of \$130.00
(Separate transmittal letter and postcard not required)

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

☐ **SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - [] are enclosed

(Separate transmittal letter and postcard not required)

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []
The appropriate fee of \$[] is included in the enclosed check

☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee

☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on []

☐ Is enclosed herewith

(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of **\$3,690.00**. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Carolyn S. Elmore

Registration No.: 37,567

Tel.: (978) 341-0036

Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 5/15/02

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

**FEE TRANSMITTAL FOR
PATENT APPLICATIONS**

MAY 21 2002

Attorney Docket Number

1932.1110-002

Application Number

10/051,765

First Named Inventor

Richard J. Fitzpatrick

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	74 - 20* =	54	x \$ 18 =	\$ 972
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	25 - 3** =	22	x \$ 84 =	\$ 1848
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 3560
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 3560
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 3690

* Reissue claims in excess of 20 and over original patent
** Reissue independent claims over original patent

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$3,690.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature

Carolyn S. Elmore

Date

5/15/02

Submitted by
Typed or Printed Name

Carolyn S. Elmore

Reg. Number

37,567